IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE
WRIT PETITION NO.10157 OF 2004

Shri Baburao Bapuji Taware .. Petitioner

v/s.

Shri Chandrakant Chhajed & ors. .. Respondents

None for petitioner.

Mr.Hitesh Jain i/by M/s.Udwadia & Udeshi for respondent No.1.

Mr.S.R.Nargolkar, AGP for respondent Nos.2 and 3.

CORAM : R.M. LODHA AND
R.S. MOHITE, JJ.

DATED : 15th March, 2005

P.C.

None appears for the petitioner.

2. The writ petition cannot be entertained since the Representation of Peoples Act, 1951 provides for the remedy in challenging the election of the member of Legislative Assembly. The only mode of challenging such election is the election petition. Having not done that, the petitioner cannot be permitted to invoke the extraordinary jurisdiction in challenging the election of the first respondent to Maharashtra Legislative Assembly Election.

3. Writ petition is dismissed accordingly.

(R.M. LODHA, J.)

(R.S. MOHITE, J.)